

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BABSON COLLEGE,

Plaintiff,

v.

PAUL D. REYNOLDS,

Defendant.

RECEIVED
U.S. DISTRICT COURT
MASSACHUSETTS
JULY 15 2004
P 3:12
CIVIL ACTION NO. 04 CV 11336 (RCL)

**DEFENDANT'S MOTION TO DISMISS PURSUANT TO RULE 12(b)(7) OR
IN THE ALTERNATIVE TO JOIN NECESSARY PARTY**

Pursuant to Fed. R. Civ. P. 12(b)(7), defendant Paul D. Reynolds respectfully moves to dismiss this action for failure to join LONDON BUSINESS SCHOOL as a party in accordance with Rule 19. Alternatively, the court should order LONDON BUSINESS SCHOOL brought into the action as a necessary party.

In support of this motion, defendant submits an accompanying Memorandum of Law.

Respectfully submitted,

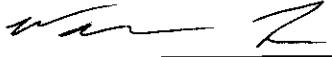
PAUL D. REYNOLDS
By his attorneys,


Michael P. Boudett, BBO No. 558757
William W. Fick, BBO No. 650562
FOLEY HOAG LLP
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Boston, MA 02210
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DATED: July 14, 2004

Local Rule 7.1 Certification

Undersigned counsel hereby certifies that the counsel of record have conferred in good faith to resolve or narrow the issues raised in this motion but have been unable to do so.



William Fick

Certificate of Service

The undersigned hereby certifies that a true copy of this motion was served by first class mail on July 14, 2004, upon all counsel of record.



William Fick

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